

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED
MAY 20 2025

CLERK'S OFFICE
DETROIT

DERRICK LEE CARDELLO-SMITH, #267009,
Petitioner,

Vs

Case # 2:25-cv-11317
Honorable Stephen Murphy, III

MACAULEY et al,
Respondents,
_____ /

**MOTION TO KEEP CASE IN THE DISTRICT COURT
IN THE PUBLIC'S INTEREST IN JUDICIAL THE JUDICIAL PROCESS
AND NOT TRANSFERRING TO THE SIXTH CIRCUIT COURT OF APPEALS**

Petitioner, Derrick Lee Cardello-Smith, having been made aware that this case has been assigned to the Honorable Stephen Murphy, now moves this Court to KEEP THE CASE IN THE DISTRICT COURT and review it on the Merits presented and states the following factors:

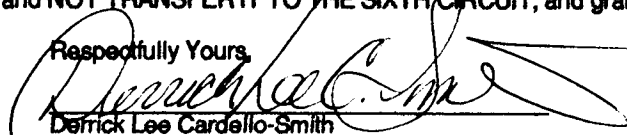
1. This matter involves Issues significant to the Public's Interest in the Judicial Process and transferring it to the Sixth Circuit Court of Appeals as a Second or Successive Habeas is not in the interest of the public.
2. The claims presented support every single historical case that this Petitioner has maintained throughout the entire history of any order that this court may use to Transfer the case.
3. Petitioner seeks to review the claim not just on the Merits, BUT ON THE ESTABLISHMENT OF THE ACTUAL INNOCENCE.
4. The Court should not Transfer it based on PROCEDURAL GROUNDS because it would completely undermine the Public's confidence in the entire judicial process.
5. This Action attacks the INTEGRITY OF THE FEDERAL HABEAS PLEADINGS AND ALLOW IT TO BE REVIEWED IN THE INTEREST OF WHAT IS JUST AND RIGHT as the public intended it to be, in this extraordinary Case.

As such, Petitioner asks this court to NOT transfer it as a successive and to review it in the establishing of a Innocence claim, without transfer.

RELIEF SOUGHT

Wherefore, Petitioner prays this Court will enter an order to KEEP THE CASE IN THE DISTRICT COURT and NOT TRANSFER IT TO THE SIXTH CIRCUIT, and grant any further relief it deems necessary.

Respectfully Yours,


Derrick Lee Cardello-Smith
Ionia Maximum Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846

May 7, 2025

Derrick Lee Cardello-Smith
#267009
Ionia Correctional Facility
1576 W. Bluewater Highway
Ionia, MI 48846

May 7, 2025

Office of the Clerk
US District Court
Theodore Levin US Courthouse
231 W. Lafayette Blvd
Room 564
Detroit, MI 48446

Re: Derrick Lee Cardello-Smith vs. Macauley, et al
Case No 2:25-cv-11317

Dear Clerk:

Enclosed for filing in the above cause, the following documents:

1. MOTION TO KEEP THE CASE IN THE DISTRICT COURT and NOT
TRANSFER IT TO THE SIXTH CIRCUIT.

Thank you for your time in this matter.


Derrick Lee Cardello-Smith

NAME: _____
Number: _____
Address: _____
Address: _____

Mr. Derrick Lee Cardello Smith
#267009

Konia Correctional Facility
1576 W. Bluewater Highway
Konia, MI 48846

GRAND RAPIDS MI 493
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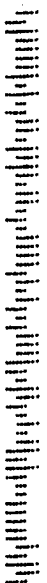


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CLERK'S OFFICE
U.S. DISTRICT COURT

Office of the Clerk
US District Court-Eastern
231 W. Lafayette Room 564
Detroit, MI 48226

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